

ORDER OF THE STATE PERSONNEL BOARD

BETTY PINKERTON,

Complainant,

vs.

DEPARTMENT OF TRANSPORTATION,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on July 19, 2005. During this public session, the Board considered the record on appeal, including but not limited to:

1. Initial Decision of the Administrative Law Judge

At its regularly scheduled public session held on August 16, 2005, the Board considered:

1. Respondent's Request that the Board Dismiss Complainant's Appeal and Affirm the Initial Decision of the Administrative Law Judge

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge be ADOPTED; and

IT IS FURTHER ORDERED that the Initial Decision of the Administrative Law Judge is adopted and made an Order of the Board.

Respondent's Request that the Board Dismiss Complainant's Appeal and Affirm the Initial Decision of the Administrative Law Judge is rendered moot by the adoption of the Initial Decision of the Administrative Law Judge.

Dated this _____ day of
August, 2005, *nunc pro tunc*
July 19, 2005.

John Zakhem
Board Chair
State Personnel Board
633 17th Street, Suite 1320
Denver, Colorado 80202-3604

NOTICE OF APPEAL

Each party has the following rights:

1. To abide by this decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11), C.R.S. (2004), as provided in Section 24-50-125.4(3), C.R.S. (2004).

In the event the decision is appealed, pursuant to Section 24-4-106(11)(b), C.R.S. (2004), the party filing the appeal with the Court of Appeals must serve the Board with a copy of the Notice of Appeal at: 633 17th Street, Suite 1320, Denver, Colorado 80202-3604. Such will aide in the timely preparation of the record.

CERTIFICATE OF MAILING

This is to certify that on the _____ day of August, 2005, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

Cecilia M. Serna, Esq.
Law Office of Cecilia M. Serna, Esq.
600 Seventeenth Street, Suite 2800 South
Denver, Colorado 80202-5428

and in the interagency mail, to:

Jill M. M. Gallet
First Assistant Attorney General
Civil Litigation and Employment Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203